

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

Criminal No. 07-121 (ADC)

JOSE RIVERA-DIAZ [27],
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on January 30, 2008. (Docket No. 882). In said Report and Recommendation the Magistrate-Judge recommends that: defendant José Rivera-Díaz be adjudged guilty of the offenses charged in Count I (21 U.S.C. §§ 841(a)(1), 846 and 860 inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

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Accordingly, a judgment of conviction is to be entered as to Count I of the indictment in the above-captioned case.

The sentencing hearing is set for April 29, 2008 at 10:30 a.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 13th day of February, 2008.

S/AIDA M. DELGADO-COLON
United States District Judge